

IT IS SO ORDERED.

Dated: June 11, 2009
04:31:17 PM


Honorable Kay Woods
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

IN RE:

THOMAS C. FOLEY,
Debtor.

* * * * *

THOMAS C. FOLEY,
Plaintiff,

v.

CITIFINANCIAL, INC.,
Defendant.

CASE NUMBER 08-43794

ADVERSARY NUMBER 09-04060

HONORABLE KAY WOODS

ORDER GRANTING, IN PART, AND DENYING, IN PART, MOTION TO DISMISS

This cause is before the Court on Defendant's Motion to Dismiss the Adversary Case Filed on March 4, 2009 with Prejudice ("Motion to Dismiss Adversary") (Doc. # 15), filed by Defendant

CitiFinancial, Inc. on May 6, 2009.

For the reasons set forth in this Court's Memorandum Opinion entered this date, The Court grants, in part, and denies, in part, the Motion to Dismiss Adversary. The Motion to Dismiss Adversary is granted as to the dismissal of the Adversary Proceeding, but denied in that the Adversary Proceeding is dismissed without prejudice.

#